

REMARKS

The application has been reviewed in light of the Office Action mailed August 13, 2004. Claims 1-55 were previously canceled. Claims 56-57, 64, 68, and 70-73 have been amended. Claims 74-77 have been added. Claims 56-77 are currently pending. The title of the Application has been changed to better reflect the claimed invention embodied by the pending claims. No new matter has been added.

Applicant gratefully acknowledges the Examiner's statement that claims 58, 68 and 73 contain allowable subject matter. In light of the foregoing amendments and the following remarks, Applicant respectfully requests reconsideration and allowance of all pending claims.

Claims 56-57, 59, 61-62, 64-67, 69-72 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 6,330,190 to Wang et al. ("Wang"). The rejection is traversed and reconsideration requested.

The present invention relates to a programmable circuit including a transistor that can be programmed to one of two different gate threshold values for operation. As such, independent claim 56 has been amended to recite applying a programming voltage to a transistor, the "transistor having a gate threshold adapted to transition from a first value to a second value in response to said programming voltage. . . and applying a read voltage to a gate of said transistor, wherein said read voltage is between said first value and said second value."

Wang, on the other hand, teaches a flash memory cell layout using different conductivity wells in a substrate to lower the operating potential in the cell over prior flash memory cell designs. See Abstract. Wang does not teach or even suggest "applying a read voltage to a gate of said transistor, wherein said read voltage is between said first value and said second value," wherein the first and second values correspond to programmable threshold voltages of the transistor. For at least these reasons, withdrawal of the rejection of claim 56 is respectfully requested.

Claims 59, 61-62, and 64-67 depend from claim 56 and therefore contain all of the limitations recited by claim 56. For at least these reasons, claims 59, 61-62, and 64-67 are also allowable.

Independent claim 57 has been amended to recite “applying a read voltage to a gate of a transistor having a programmed gate threshold voltage . . . wherein said applied read voltage is between two possible threshold voltage values for said transistor.” As such, claim 57 has been amended to recite all of the limitations previously found in dependent claim 73 and any intervening claims. Thus, for at least the reasons stated in the Office Action regarding the allowability of claim 73, claim 57 is now in condition for immediate allowance. See Office Action, at 7.

Claims 69-73 and new claims 74-77 each depend from claim 57 and contain all of the limitations recited by claim 57. For at least these reasons, claims 69-77 are also allowable.

Claims 57 and 69-72 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 5,463,579 to Shimoji (“Shimoji”). Claims 57, 69-72 also stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 5,506,431 to Thomas (“Thomas”). The rejections are traversed and reconsideration requested.

As explained above, claim 57 has been amended to rewrite what was previously claim 73 in independent form, as noted by the Examiner as being an allowable claim. None of the cited references, whether considered alone or in combination, teach or suggest all of the limitations found in claim 57. Therefore, claim 57 is now in condition for allowance. Claims 69-72 each depend from claim 57 and are also in condition for allowance. Therefore, withdrawal of this rejection is respectfully requested.

Claims 60 and 63 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Wang. The rejection is traversed and reconsideration requested.

Claims 60 and 63 each depend directly from claim 56 and contain all of the limitations recited by claim 56. For all of the reasons given above regarding the allowability of claim 56, claims 60 and 63 are also allowable.

Claims 68 and 73 stand objected to "as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims." Office Action, at 7. In light of the foregoing amendments as discussed above, the objection is obviated.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

Dated: November 3, 2004

Respectfully submitted,

By 

Thomas J. D'Amico

Registration No.: 28,371

Megan S. Woodworth

Registration No: 53,655

DICKSTEIN SHAPIRO MORIN &
OSHINSKY LLP

2101 L Street NW

Washington, DC 20037-1526

(202) 785-9700

Attorneys for Applicant